

Mail Stop Interference
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Paper 1
Entered: 3 January 2012

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

STEPHAN BEAT WARTMANN
Junior Party,
(Patent 7,975,594),

v.

DAVID WILLIAM LEEMING
Senior Party,
(Application 10/584,605).

Patent Interference 105,862 (JL)
Technology Center 3600

DECLARATION – 37 CFR §41.203(d)

1 An interference is declared (35 U.S.C. § 135(a)) between the above-
2 identified parties. Details of the application(s), patent (if any), reissue application
3 (if any), count and claims designated as corresponding or as not corresponding to
4 the count appear in Parts E and F of this DECLARATION.

1 **Part A. Judge managing the interference**

2 Administrative Patent Judge Jameson Lee has been designated to manage the
3 interference. 37 CFR § 41.104(a).

4 **Part B. Standing order**

5 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this
6 DECLARATION. The STANDING ORDER applies to this interference.

7 **Part C. Initial conference call**

8 A telephone conference call to discuss the interference is set for **1:30 p.m.**
9 **on February 21, 2012** (the Board will initiate the call).

10 No later than **four business days** prior to the conference call, each party
11 shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (37 CFR § 41.120
12 & 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

13 A time periods for taking action during the motion phase are set in an order
14 accompanying this declaration.

1 **Part D. Identification and order of the parties**

2 **Junior Party**

3 Named inventors: Stephan Beat Wartmann, Guttingen, Switzerland

4
5 Involved Application: Patent 7,975,594 issued from Application
6 11/668,124, filed January 29, 2007

7
8 Title: Device for Defense from Projectiles, Particularly
9 Shaped Charge Projectiles

10
11 Assignee: Fatzner AG

12 **Senior Party**

13
14 Named Inventors: David William Leeming, Swindon, United
15 Kingdom

16
17 Involved Patent: Application 10/584,605, filed August 9, 2007

18
19 Title: Textile Armour

20
21 Assignee: Ares Capital Corporation

22
23 The senior party is assigned exhibit numbers 1001-1999. The junior party is
24 assigned exhibit numbers 2001-2999. 37 CFR § 41.154(c)(1); SO ¶ 154.2.1. The
25 senior party is responsible for initiating settlement discussions. SO ¶ 126.1.

1 **Part E. Count and claims of the parties**

2 **Count 1**

3 Claim 1 of Junior Party's Patent 7,975,594

4 The claims of the parties are:

5 Party Wartman: Claims 1-11

6
7 Party Leeming: Claims 41-51

8
9 The claims of the parties that correspond to Count 1 are:

10 Party Wartman: Claims 1-11

11
12 Party Leeming: Claims 41-51

13
14 The claims of the parties that do not correspond to Count 1, and therefore are
15 not involved in the interference, are:

16
17 Party Wartman: None

18
19 Party Leeming: None

20
21 **Benefit**

22 The parties are accorded the following benefit for Count 1:

23 Party Wartman: European Application 07405007.1,
24 filed January 10, 2007

25
26 Party Leeming: PCT/GB2007/000329, filed January 17, 2007
27 GB060130.0, filed January 17, 2007

Part F. Heading to be used on papers

The following heading must be used on all papers filed in this interference, see SO ¶ 106.1.1:

Filed on behalf of: *Party @.*

Paper *Leave blank*

By: *Counsel Name(s) @*

Address @

(@@@) @@@- @@@@ (telephone)

(@@@) @@@- @@@@ (facsimile)

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1 **Part G. Order form for requesting file copies**

2 When requesting copies of files, use of SO Form 4 will greatly expedite
3 processing of the request. Please attach a copy of Parts D and E of this
4 DECLARATION with a hand-drawn circle around the patents and applications for
5 which a copy of a file wrapper is requested.

/Jameson Lee/
Administrative Patent Judge

Enc:

Copy of STANDING ORDER
Copy U.S. Patent 7,975,594
Copy of claims of Application 10/584,605

cc (via overnight delivery):

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